



09/ 920 993 Cofe

PATENT  
Atty. Docket No. BYG-002  
(7847/4)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTORS: van der Greef *et al.*  
PAT. NUMBER: US 6,743,364 B2  
ISSUED: June 1, 2004  
TITLE: Method and System for Identifying and Quantifying Chemical  
Components of a Mixture

Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate  
DEC 29 2004  
of Correction

**REQUEST FOR RECONSIDERATION**

Sir:

On June 23, 2004, the Assignee of record in the above-identified patent requested a Certificate of Correction (a courtesy copy of which is enclosed herewith). On November 3, 2004, the U.S. Patent and Trademark Office ("USPTO") denied this request in part, issuing a Certificate of Correction with respect to typographical errors in column 14, lines 7-10, but refusing to issue a Certificate of Correction with respect to the omitted inventors. The Assignee respectfully maintains that these errors properly warrant issuance of a Certificate of Correction under 35. U.S.C. § 254 and 37 C.F.R. § 1.322.

In brief, on January 13, 2004, an Amendment and Request to Correct Inventive Entity under 37 C.F.R. § 1.48(a) was submitted along with a new Declaration executed by the inventors (both of which are enclosed). Approval of this Amendment and Request was acknowledged by the Patent Office in the Notice of Allowability, dated February 27, 2004 (a copy of which is enclosed with the approval highlighted). During a telephone conversation with Ms. A. Green, Brian R. Chase, under the direction of the undersigned attorney, directed Ms. Green's attention to the Patent Office's approval of the request to correct inventive entity in the Notice of

JAN 21 2005

Allowability. Ms. Green requested that a Request for Reconsideration be filed. The details of the corrected inventive entity are provided in further detail below.

With regard to inventorship (cover page), Assignee requests that "(75) Inventor: Jan van der Greef, Driebergen-Rijsenburg (NL)" be amended to read --(75) Inventors: Jan van der Greef, Driebergen-Rijsenburg (NL); Jacibus Thomas Wilhelmus Elisabeth Vogels, Utrecht (NL); Florian Wulfert, Driebergen-Rijsenburg (NL); Albert Tas, Lienden (NL)--. This inventive entity is the one provided in the Amendment and Request to Correct Inventive Entity and the Declaration and Power of Attorney.

In view of the above-presented information, the Assignee respectfully submits that the errors in U.S. Patent No. 6,743,364 B2 are due to USPTO mistakes and therefore correctable pursuant to 35 U.S.C. § 254 and 37 C.F.R. § 1.322. Accordingly, the Assignee respectfully requests that the Commissioner issue Certificate of Correction for U.S. Patent No. 6,743,364 B2 reflecting the corrections as they appear on the previously-filed Form 1050 (a copy of which is enclosed).

The Assignee believes that no fee is necessitated by this Request for Reconsideration. If a fee is nevertheless due, please charge Attorney's Deposit Account No. 20-0531.

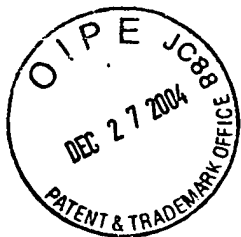
Dated: December 23, 2004  
Reg. No. 45,508

Tel. No.: (617) 248-7226  
Fax No.: (617) 248-7100

Respectfully submitted,



Daniel A. Wilson  
Attorney for Applicants  
Testa, Hurwitz, & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110



PATENT  
Attorney Docket No. BYG-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS(S): van der Greef *et al.*  
PATENT NO.: 6,743,364 B2  
ISSUED: June 1, 2004  
SERIAL NO: 09/920,993  
FILING DATE: August 2, 2001  
TITLE: Method and System for Identifying and Quantifying Chemical  
Components of a Mixture

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Certificate of Correction Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 23rd day of December, 2004.

  
Lisa Marie Solis

Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following:

1. Transmittal Form (1 page);
2. Request for Reconsideration (2 pages);
3. Copy of June 23, 2004, submission, which includes: Transmittal Form (1 page); Request for Certificate of Correction (2 pages); Certificate of Correction (1 page in duplicate); Amendment and Request to Correct Inventive Entity (3 pages); Notice of Allowability (2 pages); Declaration and Power of Attorney for Utility or Design Patent Application (4 pages); Page 28 of U.S.S.N. 09/920,993, as filed (1 page); Return Receipt Postcard date stamped June 25, 2004, by USPTO (1 page); Certificate of First Class Mailing under 37 C.F.R. 1.8 (1 page);
4. Certificate of First Class Mailing (1 page); and
5. Return Receipt Postcard.

3160443-1

JAN 21 2005

# TRANSMITTAL FORM

Application Serial Number	09/920,993
Filing Date	August 2, 2001
First Named Inventor	van der Greef
Group Art Unit	1723
Examiner Name	Therkom, Ernest G.
Attorney Docket No.	BYG-002
Patent No.	6,743,364 B2
Issue Date	June 1, 2004

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____] <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Request for Reconsideration <input checked="" type="checkbox"/> Copy of June 23, 2004, submission, which includes <ul style="list-style-type: none"> <li>• Transmittal Form</li> <li>• Request for Certificate of Correction</li> <li>• Certificate of Correction</li> <li>• Amendment and Request to Correct Inventive Entity</li> <li>• Notice of Allowability</li> <li>• Declaration and Power of Attorney for Utility or Design Patent Application</li> <li>• Page 28 of U.S.S.N. 09/920,993, as filed</li> <li>• Return Receipt Postcard date stamped June 25, 2004, by USPTO</li> <li>• Certificate of First Class Mailing under 37 C.F.R. 1.8</li> </ul>
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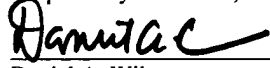
### CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

### SIGNATURE BLOCK

Date: December 23, 2004  
 Reg. No. 45,508  
 Tel. No.: (617) 248-7226  
 Fax No.: (617) 248-7100

Respectfully submitted,

  
 Daniel A. Wilson  
 Atty/Agent for Applicant(s)  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110



# TRANSMITTAL FORM

# COPY

Application Serial Number	09/920,993
Filing Date	August 2, 2001
First Named Inventor	van der Greef
Group Art Unit	1723
Examiner Name	Therkorn, Ernest G.
Attorney Docket No.	BYG-002
Patent No.	6,743,364 B2
Issue Date	June 1, 2004

## ENCLOSURES (check all that apply)

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Check Attached<br><input type="checkbox"/> Copy of Fee Transmittal Form<br><br><input type="checkbox"/> Amendment/Response<br><input type="checkbox"/> Preliminary<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]<br><br><input type="checkbox"/> Petition for Extension of Time<br><br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Form PTO-1449<br><input type="checkbox"/> Copies of IDS Citations<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Sequence Listing submission<br><input type="checkbox"/> Paper Copy/CD<br><input type="checkbox"/> Computer Readable Copy<br><input type="checkbox"/> Statement verifying identity of above | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application<br><br><input type="checkbox"/> Formal Drawing(s)<br><br><input type="checkbox"/> Request For Continued Examination (RCE) Transmittal<br><br><input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application<br><br><input type="checkbox"/> Small Entity Statement<br><br><input type="checkbox"/> CD(s) for large table or computer program<br><br><input type="checkbox"/> Amendment After Allowance<br><br><input checked="" type="checkbox"/> Request for Certificate of Correction<br><input checked="" type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences<br><br><input type="checkbox"/> Appeal Brief (in triplicate)<br><br><input type="checkbox"/> Status Inquiry<br><br><input checked="" type="checkbox"/> Return Receipt Postcard<br><br><input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8<br><br><input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8<br><br><input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)<br><br>Copies of<br><input checked="" type="checkbox"/> Amendment and Request to Correct Inventive Entity<br><input checked="" type="checkbox"/> Notice of Allowability<br><input checked="" type="checkbox"/> Declaration and Power of Attorney for Utility or Design Patent Application<br><input checked="" type="checkbox"/> Page 28 of U.S.S.N. 09/920,993, as filed |
|---|---|--|


## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Date: June 23, 2004  
Reg. No. 45,508  
Tel. No.: (617) 248-7226  
Fax No.: (617) 248-7100

Respectfully submitted,

  
Daniel A. Wilson  
Atty/Agent for Applicant(s)  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110



COPY

PATENT  
Atty. Docket No. BYG-002  
(7847/4)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTORS: van der Greef *et al.*  
PAT. NUMBER: US 6,743,364 B2  
ISSUED: June 1, 2004  
TITLE: Method and System for Identifying and Quantifying Chemical  
Components of a Mixture

Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION**

Sir:

The Assignee of record in the above-identified patent, Nederlandse Organisatie voor Toegepast-Natuurwetenschappelijk Onderzoek TNO (by virtue of an assignment filed for recordation on January 20, 2004, copy enclosed), hereby requests that a Certificate of Correction be issued for U.S. Patent No. 6,743,364 B2 under 35 U.S.C. § 254 and 37 C.F.R. § 1.322. The Assignee believes that these errors warrant issuance of a Certificate of Correction. Accordingly, the Assignee encloses a PTO Form 1050 (in duplicate) to correct the errors in the above-identified patent. Assignee believes that no fees are required for this submission; however, the Director is authorized to charge deposit account number 20-0531 for any fees that may be due.

Assignee requests correction of the inventive entity and correction of a typographical error in issued claim 2. Assignee respectfully submits that this error was introduced by the Patent and Trademark Office.

With regard to inventorship (cover page), Assignee requests that "(75) Inventor: Jan van der Greef, Driebergen-Rijsenburg (NL)" be amended to read --(75) Inventors: Jan van der

JAN 21 2005

Greef, Driebergen-Rijnsburg (NL); Jacibus Thomas Wilhelmus Elisabeth Vogels, Utrecht (NL); Florian Wulfert, Driebergen-Rijnsburg (NL); Albert Tas, Lienden (NL)--. This inventive entity is the one provided in the Amendment and Request to Correct Inventive Entity and the Declaration and Power of Attorney, both filed on January 13, 2004, copies of which are enclosed. The Request and amended inventive entity were approved by the Patent Office as indicated in the enclosed copy of the Notice of Allowability, dated February 27, 2004.

With regard to issued claim 2 (Col. 14, lines 7-10), Assignee requests that "i1=□" below the summation symbol be amended to read --i=1-- as provided in claim 2 on page 28 of the application as filed (copy enclosed).

In view of the above-presented information, the Assignee respectfully submits that the errors in U.S. Patent No. 6,743,364 B2 are correctable pursuant to 35 U.S.C. § 254 and 37 C.F.R. § 1.322. Accordingly, the Assignee respectfully requests that the Commissioner issue a Certificate of Correction for U.S. Patent No. 6,743,364 B2 reflecting the corrections as they appear on the enclosed PTO Form 1050.

Dated:

June 23, 2004

Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel.: 617-248-7226  
Fax.: 617-248-7100

Respectfully submitted,



Daniel A. Wilson  
Registration No. 45,508  
Attorney for Assignee

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 6,743,364 B2  
DATED : June 1, 2004  
INVENTOR(S) : van der Greef *et al.*

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page, in field (75), replace "Inventor: Jan van der Greef, Driebergen-Rijsenburg (NL)" with --Inventors: Jan van der Greef, Driebergen-Rijsenburg (NL); Jacibus Thomas Wilhelmus Elisabeth Vogels, Utrecht (NL); Florian Wulfert, Driebergen-Rijsenburg (NL); Albert Tas, Lienden (NL)--.

In col. 14, lines 7-10, replace "i1=□" with -- i =1--.

MAILING ADDRESS OF SENDER: Patent Administrator      PATENT NO.: 6,743,364 B2  
Testa Hurwitz & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
(617) 248-7000

JAN 21 2005



UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 6,743,364 B2  
DATED : June 1, 2004  
INVENTOR(S) : van der Greef *et al.*

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page, in field (75), replace "Inventor: Jan van der Greef, Driebergen-Rijsenburg (NL)" with -Inventors: Jan van der Greef, Driebergen-Rijsenburg (NL); Jacibus Thomas Wilhelmus Elisabeth Vogels, Utrecht (NL); Florian Wulfert, Driebergen-Rijsenburg (NL); Albert Tas, Lienden (NL)--.

In col. 14, lines 7-10, replace "i1=□" with -- i =1--.

MAILING ADDRESS OF SENDER: Patent Administrator      PATENT NO.: 6,743,364 B2  
Testa Hurwitz & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
(617) 248-7000

JAN 21 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): van der Greef

SERIAL NUMBER: 09/920,993

GROUP NUMBER: 1723

FILING DATE: August 2, 2001

EXAMINER: E. G. Therkorn

TITLE: Method and System for Identifying and Quantifying Chemical Components of a Mixture

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450AMENDMENT AND REQUEST TO CORRECT INVENTIVE ENTITY  
UNDER 37 C.F.R. § 1.48(a)

Sir:

## 1. This is an amendment and request to:

- ☒ correct under 37 C.F.R. § 1.48(a) the inventive entity set forth in error in a previously executed oath or declaration under 37 C.F.R. § 1.63.
- and/or
- ☐ delete inventor(s) under 37 C.F.R. § 1.48(b) for subject matter no longer claimed.
- and/or
- ☐ add inventor(s) for subject matter disclosed in the application but previously unclaimed under 37 C.F.R. § 1.48(c).

## 2. Applicants request that, in view of statements herein and/or attachments provided herewith, the below-named inventors be added to the inventive entity for this application as filed on August 2, 2001.

(please check and complete all applicable items)

- ☒ The three persons to be added as an inventors of this application are:  
Jacibus Thomas Wilhelmus Elisabeth Vogels, Florian Wulfert, and Albert Tas
- ☐ The inventors to be deleted from this application are:

**3. Application in Interference**

- ☐ This application is involved in an interference. In accord with 37 C.F.R. § 1.48(b), this Amendment and Request is accompanied by a motion under 37 C.F.R. § 1.634.

**4. Fee Payment (37 C.F.R. §1.17(i))**

The fee required for consideration of this petition is paid as follows (also see Fee Transmittal):

- ☒ Enclosed is a check in the amount of \$900.00, \$130.00 of which is to cover the processing fee under 37 C.F.R. §1.48(a) as set forth in 37 C.F.R §1.17(i).
- ☒ Charge Account 20-0531 for any fee deficiency.
- ☐ Charge Account 20-0531 the sum of \$130.00.

**5. Amendment of Inventive Entity**

Please add Jacibus Thomas Wilhelmus Elisabeth Vogels, Florian Wulfert, and Albert Tas to the inventive entity.

Accordingly, the amended inventive entity is Jan van der Greef, Jacibus Thomas Wilhelmus Elisabeth Vogels, Florian Wulfert, and Albert Tas.

**6. Attachments:**

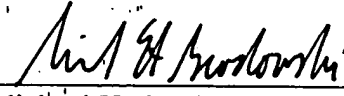
- (1) A statement from Jacibus Thomas Wilhelmus Elisabeth Vogels that the error in inventorship occurred without deceptive intent on his part, as required by 37 CFR §1.48(a)(2);
- (2) A statement from Florian Wulfert that the error in inventorship occurred without deceptive intent on his part, as required by 37 CFR §1.48(a)(2);
- (3) A statement from Albert Tas that the error in inventorship occurred without deceptive intent on his part, as required by 37 CFR §1.48(a)(2); and
- (4) A declaration by Jan van der Greef, Jacibus Thomas Wilhelmus Elisabeth Vogels, Florian Wulfert, and Albert Tas, as required by 37 CFR §1.48(a)(3).

If, for any reason, this Amendment is found not to comply with the requirements of 37 C.F.R. §1.48(a), or is otherwise found improper, it is requested that the undersigned attorney be contacted by telephone.

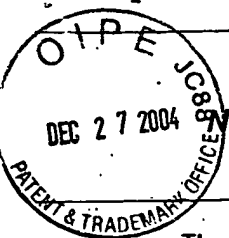
Respectfully Submitted,

Date: January 13, 2004  
Reg. No. 41,640

Tel: (617) 248-7012  
Fax: (617) 248-7100

  
\_\_\_\_\_  
Michael H. Brodowski  
Attorney for Applicants  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

2604645



COPY

**Notice of Allowability**

Application No.	Applicant(s)	
09/920,993	GREEF, JAN VAN DER	
Examiner	Art Unit	
Ernest G. Therkorn	1723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to January 13, 2004.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☒ The drawings filed on 04 January 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_

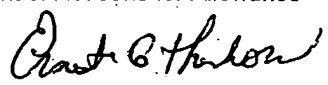
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Ernest G. Therkorn  
Primary Examiner  
Art Unit: 1723

Art Unit: 1723

The request to correct the inventive entity under 37 C.F.R. 1.48(a) has been approved.


Any inquiry concerning this communication should be directed to E. Therkorn at telephone number (571) 272-1149. The official fax number is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Ernest G. Therkorn**  
**Primary Examiner**  
**Art Unit 1723**

EGT  
February 27, 2004

<b>DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION</b> 	Attorney Docket No.	BYG-002
	First Named Inventor	van der Greef
	<b>COMPLETE IF KNOWN</b>	
	Application Serial Number	09/920,993
	Filing Date	August 2, 2001
	Group Art Unit	1723
	Examiner Name	E. G. Therkorn

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND SYSTEM FOR IDENTIFYING AND QUANTIFYING CHEMICAL COMPONENTS OF A MIXTURE**

*(Title of the Invention)*

the specification of which

☐ is attached hereto  
OR

☒ was filed on 08/02/01 as United States Application Serial Number or PCT International

Application Number 09/920,993 and was amended on (MM/DD/YYYY)                      (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose to the Patent Office all information known by me to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information known by me which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or inventor's certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, or inventor's certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
1015875	Netherlands	08/03/00	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1016034	Netherlands	08/28/00	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Serial Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto.

**DECLARATION – Utility or Design Patent Application**

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Serial Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below

Place Customer  
Number Bar Code  
Label Here


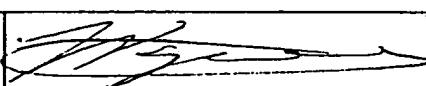
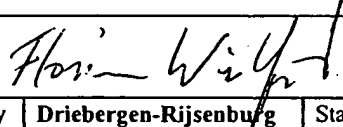
Name	Registration Number	Name	Registration Number
Andrew F. Abramson	52,538	Duncan A. Greenhalgh	38,678
Steven M. Bauer	31,481	William R. Haulbrook	53,002
Mark L. Beloborodov	50,773	Ira V. Heffan	41,059
John V. Bianco	36,748	Douglas J. Kline	35,574
Robert S. Blasi	50,389	M. Brad Lawrence	47,210
Michael H. Brodowski	41,640	William A. Meunier	41,193
Jennifer A. Camacho	43,526	Thomas C. Meyers	36,989
Joseph A. Capraro, Jr.	36,471	Jennifer G. Moitso	51,752
Fangli Chen	51,551	Ronda P. Moore	44,244
Christopher H. Chung	50,351	Jeremy P. Oczek	50,794
John J. Cotter	38,116	Jamie H. Rose	45,054
James C. De Vellis	52,814	Christopher W. Stamos	35,370
Robert V. Donahoe	46,667	Diana M. Steel	43,153
Brian A. Fairchild	48,645	Robert J. Tosti	35,393
James E. Fajkowski	54,089	Thomas A. Turano	35,722
Jason P. Fiorillo	52,892	Natasha C. Us	44,381
John V. Forcier	42,545	Christine C. Vito	39,061
Steven J. Frank	33,497	Daniel A. Wilson	45,508
Kia L. Freeman	47,577	Gerald E. Worth	45,238
Brian M. Gaff	44,691		
Edward A. Gordon	54,130		
<input type="checkbox"/> Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto.			

Direct all correspondence to:

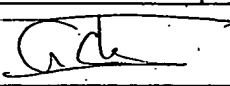
Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])					Family Name or Surname				
Jan					van der Greef				
Inventor's Signature							Date	20.11.03	
Residence	City	Driebergen-Rijsenburg	State		Country	Netherlands	Citizenship	Dutch	
Mailing Address		De Beaufortlaan 8							
Mailing Address (In. 2)	City	Driebergen-Rijsenburg	State		ZIP	3971 BM	Country	Netherlands	
<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) attached hereto.									
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])					Family Name or Surname				
Jacobus Thomas Wilhelmus Elisabeth					Vogels				
Inventor's Signature							Date	1-12-2003	
Residence	City	Utrecht	State		Country	Netherlands	Citizenship	Dutch	
Mailing Address		Opsterland 134							
Mailing Address (In. 2)	City	Utrecht	State		ZIP	3524 CJ	Country	Netherlands	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])					Family Name or Surname				
Florian					Wulfert				
Inventor's Signature							Date	28.11.2003	
Residence	City	Driebergen-Rijsenburg	State		Country	Netherlands	Citizenship	Dutch	
Mailing Address		De Vos 18							
Mailing Address (In. 2)	City	Driebergen-Rijsenburg	State		ZIP	3972 VE	Country	Netherlands	

<b>DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION</b>	<b>ADDITIONAL INVENTOR(S)</b> <b>Supplemental Sheet</b> Page <u>4</u> of <u>4</u>
---	---

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Albert				Tas			
Inventor's Signature				Date	3-12-2003		
Residence	City	Lienden	State	Country	Netherlands	Citizenship	Dutch
Mailing Address	Gelderse Singel 26						
Mailing Address (In. 2)	City	Lienden	State	ZIP	4033 KE	Country	Netherlands
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature				Date			
Residence	City		State	Country		Citizenship	
Mailing Address							
Mailing Address (In. 2)	City		State	ZIP		Country	



COPY

## CLAIMS

What is claimed is:

1. A method of data processing and evaluation comprising the steps of:
- (a) correcting the data points of a chromatogram for baseline to provide a corrected-chromatogram;
  - (b) smoothing the data points of the chromatogram to provide a smoothed-corrected-chromatogram; and
  - (c) determining an entropy value for the smoothed-corrected-chromatogram based on the product of a data point value and a logarithm of the data point value for a plurality of data points of the smoothed-corrected-chromatogram.

2. The method of claim 1, wherein the entropy value of a smoothed-corrected-chromatogram is defined substantially by

$$H = \sum_{i=1}^n p_i \ln(p_i),$$

where H is the entropy value, and  $p_i$  is the intensity value of the  $i^{\text{th}}$  data point of the smoothed-corrected-chromatogram.

3. The method of claim 2, further comprising the steps of:
- repeating steps (a) to (c) for a plurality of chromatograms of a data set; and
  - determining a quality factor for a smoothed-corrected-chromatogram based on the entropy values of the plurality of chromatograms of the data set, the quality factor defined substantially by

$$IQ = 1 - (H/H_{\max}),$$

where IQ is the quality factor, H is the entropy value of the smoothed-corrected-chromatogram, and  $H_{\max}$  is the maximum entropy value of the plurality of chromatograms of the data set.

4. The method of claim 3 further comprising the step of generating a reconstructed total ion current chromatogram from a plurality of smoothed-corrected-



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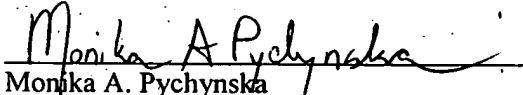
PATENT  
Attorney Docket No. BYG-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS(S): van der Greef *et al.*  
PATENT NO.: 6,743,364 B2  
ISSUED: June 1, 2004  
SERIAL NO: 09/920,993  
FILING DATE: August 2, 2001  
TITLE: Method and System for Identifying and Quantifying Chemical  
Components of a Mixture

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Certificate of Correction Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 23 th day of June, 2004.

  
Monika A. Pychynska

Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following: Transmittal Form (1 page); Request for Certificate of Correction (2 pages); Certificate of Correction (1 page, in duplicate); Copy of Amendment and Request to Correct Inventive Entity (3 pages); Copy of Notice of Allowability (2 pages); Copy of Declaration and Power of Attorney for Utility or Design Patent Application (4 pages); Copy of page 28 of U.S.S.N. 09/920,993, as filed (1 page); Certificate of First Class Mailing (1 page); and Return Receipt Postcard.



BYG-002  
(7847/4)

The "RECEIVED" stamp of the Patent Office imprinted hereon acknowledges the filing of:

Transmittal Form (1 pg.); Request for Certificate of Correction (2 pgs.); Certificate of Correction (1 pg., in duplicate); Copy of Amendment and Request to Correct Inventive Entity (3 pages); Copy of Notice of Allowability (2 pages); Copy of Declaration and Power of Attorney for Utility or Design Patent Application (4 pages); Copy of page 28 of U.S.N. 09/920,993, as filed (1 page); Certificate of First Class Mailing (1 pg.); and a Return Receipt Postcard.

Name of Applicant: van der Greef *et al.*

Patent No: 6,743,364 B2

Atty: DWilson/ABarbic/map

Date: June 23 2004  
3080631



UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 6,743,364 B2  
DATED : June 1, 2004  
INVENTOR(S) : van der Greef et al.

Page 1 of 1

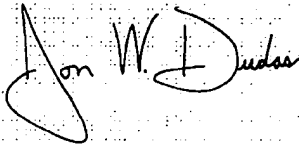
It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 14,

Lines 7-10, replace "i1=□" with -- i =1 --.

Signed and Sealed this

Twenty-third Day of November, 2004

A handwritten signature in black ink, reading "Jon W. Dudas", is written over a rectangular area of the document that has been shaded with a fine dot pattern.

JON W. DUDAS

*Director of the United States Patent and Trademark Office*

TO: MW On (note date): 01/20/05 Pat. No. 6743364

Team Leaders Initials  
INFO SUPPLIED BY: TFS  
OAC/LDRC Initials

09/920993

**SECOND REQUEST (DIFFERENT CORRECTIONS), SUPERSEDE OR RECONSIDERATION**  
(OAC OR LDRC, USE A RED PEN FOR COMPLETING INFO, ON THIS COVER SHEET) (11/2002 cbn)

Team Leader, an Office Automation Clerk may assist you by supplying data from CofC Database (Current & History), PALM, and copies from Intranet, to determine type of request (second request, supersede, and/or reconsideration) and to determine if there were any errors made in decisions and/or publishing are attributable. Team Leader, check appropriate boxes below, key record (if necessary) and forward to JCWS, to order file and assign file to an LIE, to EXPEDITE.

Team Leader, DO NOT ORDER FILE.

MRD (for request attached to this cover sheet): 12/27/2004 (Team Leader have LDRC, stamp same MRD on 1050s.)

File Charged to (in PALM): \_\_\_\_\_ Date Charged to Loc.: 1/1

Information re most recent record in CofC database (Check Current & History)

MRD: 07/01/2004 Examiner (LIE's initials): ARG

Date Assigned: 11/02/2004 Turned In: 11/03/2004

CofC Issued: 11/23/2004 CofC Denied: 1/1 Updated: Y/N Date: 1/1

Patent number listed on C of C listing in OG ((circle one) Y/N)

CofC Issued for this record is attached to patent on Internet ((circle one) Y/N)

New/different correction(s) requested. Check Intranet or with RTIS. ((circle one) Y/N)

☐ Duplicate (same heading and corrections published/issued CofC on Intranet. ((circle one) Y/N)

☐ Substitute or corrected request. Locate the original request (check with JCWS and RTIS).

☐ Second Request (another) requesting new/different corrections or additional corrections. **TEAM LEADER, DO NOT ORDER FILE.** If necessary, call attorney/applicant for assistance in determining if

new/different corrections. Team Leader, key new a record on: 1/1. Place and count with

CofCs keyed, same week, determine and note in to upper right hand corner if "P", "R", or "RTC".

Mark through any corrections on 1050, that were appropriately published; or JCWS assign to: \_\_\_\_\_

☒ Reconsideration ☐ Supersede ☐ Special CofC ☐ Erratum ☐ Expedite CofC

Team Leader, determine if a Request for a Corrected CofC (Supersede) or Reconsideration, due to error in decisions or keying, attributable to (check the appropriate box, below):

☐ RTIS  
Keying Error

☐ LIE: \_\_\_\_\_  
LIE Processing or  
Decision Error

☐ OFFICE  
Error in Entry of Document  
or Ex. Decision

☐ ATTY.  
1.323 Consideration  
or Petition Required

If errors are attributable to LIE, use guidelines for appropriately notifying the LIE and recording errors (make copies supporting that the LIE made error, attach copies to this cover sheet, keeping copies for your records, and forward copies to CBN, at the end of each month).

☐ JW or OL, locate request for CofC published on: 1/1 and return to: \_\_\_\_\_  
(Circle OAC Initials)

☐ Team Leader keyed record on on: 1-24-05 ☐ Post card Printed by Tasneem  
(Team Leaders, give all second requests to Tasneem, to print a post card.)

☐ JCWS, order file and assign or reassign to LIE to: ARG/LIE, see your Team Leader for assistance.

Comments/ Instructions: \_\_\_\_\_